UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

-----X Docket No. 08 CV 5903

FLORIOS ENTERPRISES INC. d/b/a FLORIO'S RESTAURANT & 192 GRAND BT. CIGAR AND TRADING CO. INC.

Plaintiff

-against-

THE CITY OF NEW YORK, THE NEW YORK CITY DEPARTMENT OF HEALTH AND MENTAL HYGIENE, Bt al.

Defendanta

STATE OF NEW YORK | | sa.: | county of New York]

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CUILLERMO TORRES, being duly sworn, deposes and says:

- I am over the age of 18 and am not a party to the above action.
- 2. On July 7, 2008 at about 1:48 PM at 100 Church

  Street, New York, New York, I served the within Summons and Complaint

  On the defendants, The City of New York, The New York City Department of Health and Mental Hygiene, and the New York City Department of Health and Mental Hygiene, and the New York City Department of Health and Mental Hygiene Tribunal, named in the said summons and complaint, by delivering copies to the Corporation Counsal of the City of New York at the above address.

Gui Mermo Torres

Sworn to before me this 7th day of July, 2008

SIDNEY BAUMGARIEN
Notary Public, State of New York
No. 02BA6155514
Qualified in New York County
Commission Expires Nov. 20, 2010

UNITED STATES DISTRICT COURT SCUTHERN DISTRICT OF NEW YORK

----X Docket No. 08 CV 5903

PIORIOS ESTERPRISES INC. d/b/s FLORID'S RESTAURANT & 192 CRAND ST. CIGAR AND TRADING CO. INC.

Plaintiff

-against-

\_\_\_\_\_

THE CITY OF NEW YORK, THE NEW YORK CITY DEPARTMENT OF HEALTH AND MENTAL HYGIENE, Bt al,

Defendants

STATE OF NEW YORK ]

1 ss.:

COUNTY OF NEW YORK)

CUILLERMO TORRES, being duly sworn, deposes and says:

- 1. I am over the age of 16 and am not a party to the above action.
- 2. On July 7, 2008 at about 1:38 PM at 120 Broadway, New York, New York, I served the within Summons and Complaint On the defendants, The State of New York and the New York State Department of Hoalth, named in the said summons and complaint, by delivering copies to the Attorney General of the State of New York at the above address.

Sworn to before me this 75 day of July, 2008

> SIDNEY BAUMGARTEN Notary Public, State of New York No. 02BA6155514 Qualified in New York County Commission Expires Nov. 20, 2010